

**SCOTTSDALE AIRPORT ADVISORY COMMISSION
15000 N. AIRPORT DRIVE, SCOTTSDALE, AZ 85260**

**OCTOBER 8, 2003
REGULAR MEETING**

DRAFT MINUTES

PRESENT:	Donald Maxwell, Chairman Tom Guilfooy Philip Vickers	Leonard Tinnan, Vice Chairman Mike Osborne Fred Madanick
ABSENT:	Bill Mack	
STAFF:	Scott Gray, Aviation Director Gary Mascaro, Asst. Aviation Director Chris Read, Asst. Aviation Director	Paul Norman, Assistant City Attorney Matt Johnson, Airport Specialist Jennifer Lewis, Airport Planner
OTHER(S):	Patrick Colceri, Scottsdale Hangar One Laurie Nelson, Vermillion Catering Don Owens, Scottsdale Fighter Pilots Karl Gimbel, Extreme Holdings	Russell Jols, ARINC Steve Zucker, The Pampered Palate Brian Ready, AzBAA Chris Rasmussen, Scottsdale Tribune

CALL TO ORDER

Chairman Maxwell called the meeting to order at 6:00 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

APPROVAL OF MINUTES

Item 1 - Action

Approval of the Minutes of the August/September Combined Regular Meeting of August 27, 2003

Vice Chairman Tinnan made a motion to approve the minutes of the August 27th meeting. Commissioner Osborne seconded the motion and the minutes were approved as submitted by a vote of 6-0.

At this time, Mr. Paul Norman, Assistant City Attorney addressed the Commission and stated that the City Attorney has determined it is no longer necessary for the legal staff to attend the City's various board and commission meetings except in instances where particular legal issues may require their attendance. Therefore, unless there was a specific need for him to be present, he would not be attending future Airport Advisory Commission meetings.

PUBLIC COMMENT

There were no public comments.

Chairman Maxwell stated informational Item 12, the Scottsdale Fighter Pilots Museum Update would be taken next on the agenda prior to the Permit Ratifications.

Mr. Don Owens of the Scottsdale Fighter Pilots Museum provided an update on what has been happening with the museum project stating they are at the same point they were last April. Mr. Owens

advised that the Arizona Aerospace Foundation in Tucson, of which he is a board member, decided they did not have the finances or management to carry the International Fighter Pilots Museum. Therefore, the fighter pilots foundation they had formed went to the City of Scottsdale and they now have a land lease for the proposed museum.

Mr. Owens added they have a fund raising problem due to the separation of the two entities, the Arizona Aerospace Foundation in Tucson, and the International Fighter Pilots Museum Foundation in Scottsdale, and it is difficult to separate the funding. He added there are also differences of opinion as to where the money goes and of money that may have been restricted for other uses. Mr. Owens stated they have till December 15, 2003 to resolve their issues, or in January he may have to come back to the Commission and provide a status update before they go to City Council.

Mr. Owens also noted that the Museum of Flight in Seattle is opening another museum where the Champlin Fighter Museum used to be, and they may put some of their excess airplanes at Falcon Field, which might be direct competition with Scottsdale. However, Mr. Owens expressed his opinion that if the funding issues are resolved, he expects to have \$2 million committed within in 30 days.

AERONAUTICAL BUSINESS PERMIT(S)

Item 2 - Action

Ratification of Airport Aeronautical Business Permit for Vermillion Home & Event Catering to provide off-airport in-flight catering service at Scottsdale Airport.

Mr. Matt Johnson advised the Commission that Vermillion Home & Event Catering has provided all the appropriate documentation as required in the Airport Minimum Operating Standards, and according to the owner, the six-percent fee is anticipated to generate an additional \$300 in annual revenue to the Aviation Enterprise Fund. Ms. Laurie Nelson, a representative of Vermillion, was present to answer any questions.

There were no questions from the Commission. Vice Chairman Tinnan made a motion to approve the Airport Aeronautical Business Permit for Vermillion Home & Event Catering. Commissioner Osborne seconded the motion and it passed by a vote of 6-0.

Item 3 - Action

Ratification of Airpark Aeronautical Business Permit for James Warren to provide hangar/shade leasing in the Airpark.

Mr. Johnson advised the Commission this item was tabled from last month's meeting and would have to be tabled again since a representative from James Warren was not present. Vice Chairman Tinnan inquired how many times the item could be tabled and Mr. Johnson responded it was three times. This item was tabled to next month's meeting.

Item 4 – Action

Ratification of Airpark Aeronautical Business Permit for Scottsdale Hangar One to provide hangar/shade leasing in the Airpark.

Mr. Johnson advised the Commission that Scottsdale Hangar One has provided the appropriate documentation as required in the Airpark Minimum Operating Standards and the five-percent fee is anticipated to generate an additional \$1500 in annual revenue to the Aviation Enterprise Fund. Mr. Johnson added this is a new hangar facility. Mr. Johnson advised that Mr. Patrick Colceri, General Manager, Scottsdale Hangar One was present to answer any questions from the Commission. There were no questions.

Vice Chairman Tinnan made a motion to approve the Airpark Aeronautical Business Permit for Scottsdale Hangar One. Commissioner Madanick seconded the motion and it passed by a vote of 6-0.

Item 5 – Action

Ratification of Airport Aeronautical Business Permit for The Pampered Palate to provide off-airport in-flight catering at Scottsdale Airport.

Mr. Johnson advised the Commission that The Pampered Palate has provided the appropriate documentation as required in the Airport Minimum Operating Standards and according to the owner the six-percent fee is anticipated to generate an additional \$300 in annual revenue to the Aviation Enterprise Fund. Mr. Johnson stated that Mr. Steve Zucker, president, was present to answer any questions from the Commission. There were no questions from the Commission.

Vice Chairman Tinnan made a motion to approve the Airport Aeronautical Business Permit for The Pampered Palate. Commissioner Osborne seconded the motion and it passed by a vote of 6-0.

Item 6 – Action

Ratification of Airport Aeronautical Business Permit for ARINC to provide aircraft maintenance and repair service at Scottsdale Airport.

Mr. Johnson advised the Commission that ARINC has provided the appropriate documentation as required in the Airport Minimum Operating Standards and the insurance requirements naming City of Scottsdale as additional insured have been met. He added this action is not anticipated to result in additional tiedown area demand, and associated permit fees are anticipated to generate approximately \$1000 in annual revenue to the Aviation Enterprise Fund. Mr. Johnson advised the Commission that Mr. Russell Jols, maintenance supervisor, was present to respond to any questions from the Commission. Mr. Jols stated that ARINC has been in business since 1929, and his business services whatever types of aircraft can land at Scottsdale.

Commissioner Osborne made a motion to approve the Airport Aeronautical Business Permit for ARINC. Commissioner Guilfooy seconded the motion and it passed by a vote of 6-0.

Item 7 – Action

Ratification of Airpark Aeronautical Business Permit for Extreme Holdings, Inc. to provide aircraft management services in the Scottsdale Airpark.

Mr. Johnson advised the Commission that Extreme Holdings, Inc. has provided the appropriate documentation required in the Airpark Minimum Operating Standards, and the associated permit fees are anticipated to generate approximately \$3000 in annual revenue to the Aviation Enterprise Fund. Mr. Johnson stated Mr. Karl Gimbel was present to respond to any questions from the Commission.

Vice Chairman Tinnan inquired what are considered aircraft management services. Mr. Gimbel responded the company is a wholly owned subsidiary that owns the airplane and they provide pilot service for the airplane.

Commissioner Vickers inquired if the pilot they provide has executed the voluntary noise compliance letter [pilot pledge]. Mr. Gimbel responded they did not sign, as all their aircraft are Stage 3. Commissioner Vickers inquired if all pilots were sent the letter. Mr. Gray responded it was sent to all their based tenants. Mr. Gimbel said his legal counsel advised him not to sign the pilot pledge.

Commissioner Guilfooy made a motion to approve the Airpark Aeronautical Business Permit for Extreme Holdings, Inc. Commissioner Madanick seconded the motion. It passed by a vote of 5-1, with Commissioner Vickers opposed.

Item 8 – Information

Aeronautical Business Permit Additions, Cancellations, or Revocations.

Mr. Johnson said this is an informational item and he would be glad to answer any questions from the Commission. Commissioner Guilfooy inquired if the one cancellation, Simtec Aviation, has left the airport. Mr. Johnson responded that Simtec is no longer doing business and has left the airport.

Vice Chairman Tinnan noted the large number of permits for off-site catering and questioned how many of them were active and generating revenue for the Airport. Mr. Johnson responded that all of the current permitted caterers pay a minimum monthly fee of \$25.00.

Commissioner Guilfooy inquired if the permitted caterers receive an airfield access card. Mr. Gray responded no, that one of the FBO's would have to allow them access.

GENERAL BUSINESS

Item 9 – Action

Authorize award of the Airport Engineering Services Contract No. 04RP008 to Gilbertson Associates, Inc. for design, construction, administration, master planning, noise studies, and other related airport improvements.

Mr. Chris Read advised the Commission that Gilbertson Associates, Inc. will be providing airport engineering and consulting services as directed by airport staff. The term of the contract is for one-year with the option to renew for two additional one-year terms. Mr. Read stated a total of three firms submitted proposals, and a panel of five evaluators as the most qualified selected Gilbertson Associates.

Commissioner Vickers inquired why they are reviewing this contract if it has already been executed by Purchasing, the City Attorney's office, and the contracting party. Commissioner Vickers asked if they could make modifications to the contract's language and if they cannot why is it being brought to the Airport Advisory Commission.

Mr. Gray responded that they could not change the language of the contract since the contract was included as part of the RFP process and cannot be modified. Mr. Gray said it came to the Commission because the Commission could recommend the City Council to approve or not approve it, or to recommend changes. The City Council would ultimately make the decision of whether or not to approve the contract. If the City Council decided they did not like the language in the contract they could deny the contract, they could deny the contract and ask that it be re-bid.

Commissioner Vickers stated he would like to have it put on record the objection he has to the wording of this contract. He noted in particular, page 3 of 20..."Compensation for general services authorized by the City shall be based upon actual hours and expenses incurred by the engineer." Commissioner Vickers stated he thinks that wording is a loophole as it doesn't say anything about actual and necessary expenses and it doesn't mention "as being evidenced by vendor invoices and cancelled checks." Commissioner Vickers stated he thinks it is a poorly, loosely worded contract for the citizens of Scottsdale to be enter into.

In addition, Commissioner Vickers noted on page 4 of 20, "Payment Approval", he does not see any reference to the contractor having to submit actual timesheets or vendor invoices to the contract administrator and he objects to that. Commissioner Vickers then referred to page 7 of 20, Article 3.8, "Attorney Fees," stating he will not vote for this contract because it does not contain an alternative resolution dispute provision, and he considers this a poor practice for the City of Scottsdale.

Vice Chairman Tinnan made a motion to recommend City Council to authorize award of the Airport Engineering Services Contract No. 04RP008 to Gilbertson Associates, Inc. Commissioner Osborne seconded the motion and it passed by a vote of 5-1 with Commissioner Vickers opposed.

Item 10 – Information

Proposed Five-Year Aviation Capital Improvement Program.

Mr. Gary Mascaro advised the Commission the Capital Improvement Program is the first phase of the budget program and staff's goal is to provide the information to the Commission as early as possible. He noted there was little change from last year, with the exception of some minor modifications. Pavement maintenance, resurfacing, parking, traffic circulation, and security lighting and fencing, noise monitoring system, and design projects, and a possible Part 161 Study were some of the items highlighted in the proposed program. Mr. Mascaro then provided detailed information on the capital improvement program items listed in the Commission packet and their associated costs, including those items that would be grant funded. Mr. Mascaro and staff then responded to questions from the Commission, and provided background details and maps for the various proposed CIP projects.

Mr. Mascaro advised the Commission this item would be brought to the Commission on next month's agenda as an action item. There was additional discussion regarding the timeframe the item will be brought forward for action and on revenue, funding, and emergency contingency sources for the projects. Mr. Mascaro then distributed handouts of his presentation and advised the Commission that he would continue to provide the Commission with any changes or updates.

Mr. Gray stated he wished to clarify that the Operating Budget number is derived from Financial Services and the City Manager, and whatever that number is will be brought back as part of the cash flow statement. However, they will not be bringing specific line item details of the Operating Budget to the Commission.

Item 11 – Information

Airpark Development and Construction Quarterly Update.

Mr. Mascaro stated that provided in the Commission packets is a quarterly update on developments projects that are occurring within the Airpark environment. He added that not many items have changed since last quarter.

Item 12 – Information

Scottsdale Fighter Pilots Museum Update – Don Owens,

[Item was moved to earlier in the meeting.]

Item 13 – Information

Security for General Aviation Airports – Commissioner Vickers.

Commissioner Vickers stated he requested this item be put on the agenda as one of the responsibilities that they have as the Airport Commission and staff is to advise City Council on rules, regulations, minimum operating standards and safety matters under the jurisdiction of the Airport. Commissioner Vickers said he is very concerned that as a Commission they are granting permits to applicants who come onto the airport premises and they really don't know who these people are or what their background is. Commissioner Vickers added that as a Commission they should be doing all they can to improve security at Scottsdale Airport. Commissioner Vickers would like the Commission to consider a recommendation to City Council that any commercial applicant who applies for a commercial aviation permit [aeronautical business permit] pays for and submits, along with their application, security clearance on the operator, owner or the employees who are coming on to the airport. Commissioner Vickers stated they should ask the City Council to modify the regulations so future applicants would first go through a background check.

Commissioner Vickers stated he is also concerned about people who are obtaining access permits to/from the Airpark to the Airport. He stated although they may own an aircraft and staff may be comfortable with that, he is not comfortable with it since he does not know who the people are or what their background is.

Commissioner Vickers stated he is proposing that in the future anyone who applies for an aviation permit to keep their plane at the Airport that they have a background check, and anyone who applies for an access permit, and for anyone who applies for an aeronautical business permit.

Commissioner Madanick advised the Commission that background checks were easy to do, it only takes a couple of days, and all they need is a signature from the applicant. He added that Commissioner Vickers makes a good point about finding out more about people we allow on the Airport, and we need to look at this more seriously.

Chairman Maxwell stated the majority of people that come on the airport are transient and not headquartered here, therefore if you don't require the majority of people to have background checks then it would be discriminating. Commissioner Madanick stated they could do background checks for those who want to do business on the Airport -- those who apply for the business permits.

Vice Chairman Tinnan stated he does not have a problem with the procedure except it is not all-inclusive. Commissioner Guilfooy added that without being a Part 139 they don't have to do it. Mr. Gray added they are waiting for the federal government rules for general aviation airports. He stated what comes out of those recommendations are probably things we already do. Mr. Gray added background checks are done for Airport staff, for charter companies, FBO's etc., and his understanding that they will be required to do something for student pilots.

Commissioner Vickers stated if we are spending \$50,000 for improved security, we obviously want to keep someone out. With the same concept, if you are going to put a fence around the airport they should try to close other loopholes that may exist. He added he is not concerned about the pilots, as much as someone using an outsider as a conduit to come in and take a large aircraft. Commissioner Vickers stated can't stop it, but you can deter it, and it is just good prudence and diligence to examine this issue. Commissioner Vickers suggested the Commission could bring this issue to the Security Task Force and let them get back to the Commission. Commissioner Madanick agreed that would be a good idea.

Mr. Gray said he believed the Commission was in consensus to bring Commissioner Vickers' suggestion to the Security Task Force and have them report back to the Commission.

Item 14 – Information

City Council Subcommittee on Regional Aviation Issues Update.

Mr. Gray advised the Commission the October 15th meeting was cancelled and no meeting of the Council subcommittee will take place this month due to scheduling conflicts. The next meeting is scheduled for November 19th. Mr. Gray said the focus of the November meeting would be the Aircraft Operating Monitoring System RFP. Mr. Gray added that the purpose of this item is to bring to the attention of the Commission those items that we have already identified as going to the City Council subcommittee. Mr. Gray added the intent is to provide the Commission the same information they provide for the subcommittee meeting. He added the November 12th Commission meeting packet would include information regarding the November 19th City Council subcommittee agenda items.

PILOT/COMMUNITY OUTREACH UPDATE

Item 15 – Information

August and September 2003 Noise Reports.

Ms. Jennifer Lewis, who replaced Mr. Kevin Shirer as Airport Planner, introduced herself and gave a brief summary of her experience in the field of airport planning, noise abatement, and community outreach. Ms. Lewis then provided a brief summary of the noise reports for August and September and comparisons between previous months complaints. Ms. Lewis advised the Commission of the correspondence sent to pilots and operators in their outreach efforts, and of the notice sent to tenants in support of the FAA Reauthorization Bill. Ms. Lewis also noted they had one real estate briefing and six development proposals reviewed for noise program compliance.

Ms. Lewis also advised the Commission that the City Council approved the grant offers from the FAA and ADOT for the Part 150 Study. Ms. Lewis added that in September they received one proposal for the flight tracking system.

Commissioner Guilfoxy asked about the letter to helicopter operators. Ms. Lewis responded they had several noise complaints on a helicopter operator. The pilot was identified Ms. Lewis spoke with him and also sent him a letter. Ms. Lewis stated her letters were sent as information and pilot guides were included with their letters.

Item 16 – Information

Aircraft Operating Monitoring System Update.

Mr. Mascaro advised the Commission he received one proposal from Rannoch Corporation for the flight tracking system, which is now being reviewed by the evaluation team. However, the proposal was very large and it will take some time to go through the details and work with Information Systems to determine if everything is compatible. Mr. Mascaro stated they asked for the proposal to state a base bid of what we requested for a standard flight tracking system, in addition to complaint entry and link to our complaint system. In addition to equipment and training, the rough estimate negotiable price would be \$285,000. Mr. Mascaro stated the cost proposal is very loose at this time, since there were different levels of price depending on the options selected.

Mr. Mascaro stated when the evaluation is finished and they are in agreement as to what they are looking and what funding mechanisms to use, their goal is to present it to the City Council subcommittee, preferably at their November 19th meeting, to get direction from them as to where they want staff to go from there.

Chairman Maxwell asked if it would come to the Commission for their recommendation. Mr. Gray responded that it was an item that was requested directly from City Council. He added although it is not necessary, they will probably do so to let the Commission know what the subcommittee intent is after the November 19th meeting. If they get direction to bring it as an action item to the City Council, then the information will be brought to the Commission before it goes to City Council

Vice Chairman Tinnan stated he believes the Commission and the Commission subcommittee asked for staff to pursue the flight tracking system, and he thinks it would be very inappropriate for the three members of the Council subcommittee to consider moving forward on this issue without a recommendation from the Commission. Vice Chairman Tinnan recommended that the same presentation that will be given to the Council subcommittee on November 19th, should be presented in its entirety to the Commission or the Commission subcommittee a week prior to the Council subcommittee meeting, and they should be ready to make a recommendation.

Chairman Maxwell agreed that the Commission should get a copy of any package that goes before the Council subcommittee. Tom Guilfoxy added that the issue is for them to be on record as a body. Chairman Maxwell stated he also believed it would come before the AAC for a recommendation. Tom Guilfoxy stated they have the position to advise the City Council and they are not being asked to do so.

Mr. Gray advised that the Council subcommittee is not the City Council and it will not be making any decisions at their November 19th meeting. It would have to go to Council at a later date, most likely Dec/Jan timeframe. Chairman Maxwell asked if the information would be included in the November 12 Commission packet and Mr. Gray responded that it would. Vice Chairman Tinnan said the Council subcommittee would be spending more time on the issue and making a recommendation, and the Commission will only be spending 10 minutes on the subject. He believes the Council subcommittee should not make a recommendation to City Council without input from the Commission.

Commissioner Vickers stated one part of Vice Chairman Tinnan's recommendation that he absolutely does not agree with is bringing the item to the so-called Commission subcommittee, which Vice Chairman Tinnan recommended be disbanded. Commissioner Vickers stated he specifically asked Chairman

Maxwell to give the Commission a position as to whether or not they still had a Commission subcommittee and was told he would do so after attending the next Council subcommittee meeting which in fact he did not attend. Commissioner Vickers stated he is in favor of bringing this item to the Commission taken as a whole so the position of each of the Commissioners can go on record. However he feels to take it to a select group that either does or does not exist is ludicrous.

Vice Chairman Tinnan said he is making the point he made in an earlier recommendation a couple months ago that they as a Commission either in part or in total have no input to the Council subcommittee and this is simply an extension of the same issue. He said he doesn't care if it is the whole Commission, or part of the Commission, the Council subcommittee should not consider further action or cessation of action without a recommendation from this body.

Commissioner Vickers stated if the City Council invites the Commission to submit their recommendation, then they should act accordingly, but if the Council subcommittee does not invite that commentary then they should refrain from putting it forth.

Chairman Maxwell offered he would personally call the Council subcommittee members and tell them what the Commission has discussed tonight and see if they would allow the Commission to make a recommendation.

Commissioner Guilfooy inquired how many RFP packages went out. Mr. Mascaro responded that eight were mailed, and the package was also available on the website. There was no pre-bid conference, only one responded, and there were telephone conversations with two other companies.

OPERATIONS UPDATE

Item 17 – Information

Review of Airport Operations for August 2003.

Mr. Chris Read provided the Commission an overview of Airport operations for the month of August and asked if there were any questions.

Commissioner Madanick inquired about the incident on August 29th. And if that was considered an Alert or an incident. Mr. Read responded it was an incident because the person in the aircraft could not get the engine started and while he was on the brand new taxiway overlay, and the method he used to turn and go back for mechanical assistance damaged a bit of pavement.

Item 18 – Information

Review of Airport Operations for September 2003

Mr. Chris Read advised the Commission on one incident in September where an individual drove through an airport gate and then sped down the Alpha taxiway. He added it was determined later that the individual was under the influence of illegal substances, and was subsequently arrested by Scottsdale Police.

MEETING SCHEDULE

Item 19 – Action

Review/Modify Meeting Schedule

Chairman Maxwell inquired if there were any comments to modify the current meeting schedule. There were none. Mr. Gray advised the Commission that next month's meeting packet would contain the meeting schedule for 2004.

PUBLIC COMMENT

There were no public comments.

DIRECTOR'S REPORT

Mr. Scott Gray advised the Commission that the director of the Aeronautics Division for ADOT, Mr. Gary Adams, has submitted his resignation. He had been with ADOT Aeronautics for over 20-years, 13 as the director. Mr. Gray stated this would be a significant loss for ADOT, as well as for Scottsdale, as he worked very well with us and all the other airports in the state. Mr. Gray added there might be a political appointment to fill his position, or perhaps a search for a replacement. He advised that the president of the Arizona Airports Association has submitted a letter to ADOT requesting if there is anyway they can be of assistance in ensuring an aviation-related person is associated with that position, they would be glad to help.

Mr. Gray advised the Commission that the City Council has accepted the grants for the Part 150 Study and that process has started. He added they have been working with their consultants to get the initiation brochure completed and to have it sent out prior to the first meeting at the end of this month. Mr. Gray informed the Commission of the process and the role of the consultants in completing this study, including their background and experience in this area.

ITEMS FROM THE COMMISSION

Commissioner Guilfoxy stated he attended the Council subcommittee meeting and he wished to be on record that he is personally supportive of the military flying in and out of Scottsdale Airport.

Chairman Maxwell stated he has been asked to serve on the Technical Advisory Team for the Part 150 Study and to be a conduit to the Commission to get their input.

Mr. Gray stated an item had just brought to his attention by Mr. Brian Ready and he asked Mr. Ready to relay the information to the Commission. Mr. Brian Ready from the Arizona Business Aviation Association informed the Commission of the National Business Aviation Association (NBAA) event that will take place November 13th at Scottsdale Airport at the Scottsdale Air Center. He added there would be many displays and keynote speakers and he wanted to make sure the Commission is aware of the event. Mr. Ready added that information about the NBAA and this event is also available on the NBAA website.

ADJOURNMENT

Chairman Maxwell adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Diana M. Maggiola
Administrative Secretary